



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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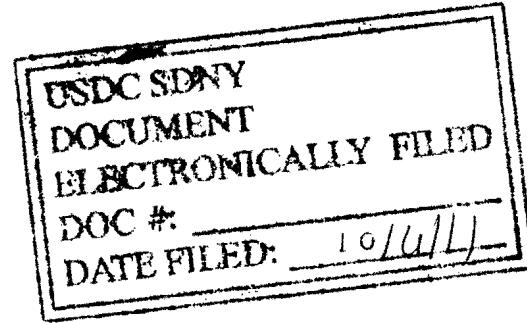
In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

Mater File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88  
ECF Case

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This document relates to the following case:

*Yosemite Springs Park Utility Company v. Chevron,  
U.S.A. Inc., et al.*, Case No. 09-CIV-1419

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STIPULATION REGARDING TIMING OF REBUTTAL AND REPLY EXPERT  
REPORTS RELATING TO REPORT OF PLAINTIFF'S EXPERT, STEPHEN W.  
WHEATCRAFT

IT IS HEREBY STIPULATED AND AGREED between the parties, by and through their respective counsel of record, that:

1. Plaintiff Yosemite Springs Park Utility Company ("Plaintiff") served the expert report of Stephen W. Wheatcraft, Ph.D. on Defendant Chevron U.S.A. Inc. ("Chevron") on August 2, 2011 (the "Report"). Dr. Wheatcraft relied in part on groundwater modeling to form his opinions.
2. On August 4, 2011, Chevron wrote to Plaintiff, requesting that Plaintiff provide Dr. Wheatcraft's file, including his modeling files, and requested an extension of time to submit supplemental rebuttal reports for those of Chevron's experts who would be responding to Dr. Wheatcraft's opinions, based on the date Chevron received Dr. Wheatcraft's file, including his modeling files. Plaintiff agreed.
3. The parties have agreed that Chevron's experts with opinions reliant on having Dr. Wheatcraft's file may file supplemental expert rebuttal reports within sixty (60) days from Chevron's receipt of Dr. Wheatcraft's file to address Dr. Wheatcraft's opinions.
4. Dr. Wheatcraft's file was produced on September 1, 2011.
5. Chevron's supplemental expert rebuttal reports containing opinions reliant on having Dr. Wheatcraft's file will be due November 1, 2011. The remainder of Chevron's experts reports will still be due on October 3<sup>rd</sup> per CMO 86.
6. Dr. Wheatcraft's reply to any of these supplemental expert rebuttal reports will be due 45 days after Plaintiff's receipt of the same, or no later than December 16, 2011. The remainder of Plaintiff's reply expert reports will be due on November 16, 2011, per CMO 86.
7. The foregoing does not change the discovery cut-off date in CMO No. 86.

Dated: 9/13, 2011

KING AND SPALDING LLP

By: Charles C. Correll

Charles C. Correll, Jr.  
Attorney for Defendant Chevron U.S.A. Inc.

*Sent*

Dated 13, 2011

BARON & BUDD, P.C.

By: Celeste A. Evangelisti

Celeste A. Evangelisti  
Attorney for Plaintiff Yosemite Springs Park Utility  
Company

SO ORDERED:

Dated: New York, New York  
Oct 5, 2011

  
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SHIRA A. SCHIENDLIN

UNITED STATES DISTRICT JUDGE